

The Montana House of Representatives
Federal Relations, Energy and Telecommunications Committee

In Opposition to HB198

Mr. Chairman and Honorable Members of the Committee,

My name is Chuck Hahn. I am a rancher and business owner from Broadwater County. I stand before you today in opposition to HB198. The power of eminent domain is arguably one of the most intrusive actions which government takes in the lives of private citizens. It is a power granted by statute to the state. The consequences can be far reaching and economically devastating to those whose property lies in the path of a project. Even when used by government agencies it is often abused. When the power of eminent domain is passed by the state to non government entities it must be done with great caution and with the oversight to see that private citizens rights are carefully protected.

Please vote wisely on HB 198. Know that if you approve this bill, you are approving the right of any entity, defined as a "Public Utility", the power to condemn property for their own profitable gain. Section 2 (2) of this bill grants to the "Public Utility" the foregone conclusion that *"the taking is a necessary public use"*. If you approve this bill you thereby deprive private property owners their constitutional right to due process of law. Title 70 Chapter 30, Montana Code Annotated, provides an opportunity for a property owner to dispute the necessity of condemnation. Section 2 (2) of this bill circumvents existing Montana Law.

Please consider private citizens property rights and vote *NO* on HB 198.

Thank you,



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